



Charlotte City Council
Neighborhood Development Committee
Meeting Summary
June 19, 2019

COMMITTEE AGENDA TOPICS

- I. City of Charlotte's Minimum Standards of Housing Code Sections (Vote)

COMMITTEE INFORMATION

Committee Members Present: Justin Harlow (Chair), Braxton Winston (Vice Chair), Edmund Driggs, Larken Egleston, Matt Newton

Staff Resources: Sabrina Joy-Hogg, City Manager's Office

Meeting Duration: 12:00 p.m. – 1:28 p.m.

ATTACHMENTS

1. Agenda
2. Presentations and Handouts

DISCUSSION HIGHLIGHTS

Meeting was opened by Chairman Justin Harlow. He prompted the committee today's meeting would continue conversations to review and discuss updates of the recommended changes to the Minimum Housing Code Standards, with an action requested from staff. Deputy City Manager Sabrina Joy-Hogg provided an overview of the agenda item. She noted that resolution of this topic would conclude the referrals to the Neighborhood Development Committee, though there may be a new referral for Special Permits in the future. She clarified that if the current agenda item passed, there would not be a July committee meeting and the Council is on break for the month of August. Deputy City Manager Joy-Hogg credited the presentation to a multi-disciplinary team consisting of John Leonard (Fire Marshall), Dana Fenton (Legislative Affairs), Pam Wideman and staff (Housing and Neighborhood Services), Marie Harris and staff (Strategy and Budget), Anna Schleunes (Legal), Gibbie Harris, County Health Director, from the Mecklenburg County Health Department, and Willie Ratchford (Community Relations). Deputy City Manager Joy-Hogg also announced the promotion of Jane Talillon to Division Manager for Code Enforcement Services.

Ms. Wideman shared results from the in-person community engagement meetings and the online survey. Feedback was grouped into common themes. Many of the online survey respondents were not familiar with the code enforcement process and had not utilized the services of code enforcement. There was consensus from some respondents that indicated the current civil penalties were too high and some who felt that if the civil penalties were higher, there would be an adverse effect on affordable housing. Feedback also showed that education efforts would help tenants understand their rights. Additional concern expressed that harsher penalties were needed for chronic offenders and that absentee landlords and slumlords were not addressed in the Minimum Standards of Housing Code.

Common feedback themes related to the process continued around the length of procedure time, code should only enforce safety issues, additional time needs to be considered for persons to be compliant, and the in-rem process should be used more frequently. The proposed multi-family inspection program received support. Some persons did not believe that the environmental court process was adequate as currently functioning.

Housing and Neighborhood Services met with the Greater Charlotte Apartment Association (GCAA) staff and members. The discussion included clarification of recommended changes. A concern voiced by GCAA was they should not be penalized because of a few bad actors. GCAA also requested an opportunity to discuss the proposed changes with their membership. Additionally, it was noted that stricter penalties and a stricter ordinance could contradict the city's affordable housing goals.

Jane Taillon provided a data review over the past three years of code enforcement cases which displayed the total number of code enforcement cases alongside multi-family cases. Jane also discussed recommendations for process enhancements, which do not require ordinance revisions. These enhancements would be implemented internally. Process enhancements included a multi-family enhanced inspections process and providing clarity around tenants' rights information. The 'When You Rent Handbook' would be made available in collaboration with the Community Relations Department. Code Enforcement will collaborate with the county to make the websites more informational, provide more clarity, and remove redundancy, which should enable the user to have better access to information.

Ms. Gibbie Harris stated we must work in collaboration to address the mold issues, some of which possibly require legislative changes. Also, collaboration and support with apartment associations and land lords will be needed. She explained that Environmental Health Specialists are governed by NC General Statutes and the NC Administrative Code. The Environmental Health Specialists are funded by the county, but are considered agents of the state. These staff are used interchangeably to certify the various facilities in the county throughout the year (ex. food establishments, pools, summer camps, and tattoo parlors). They are not certified, required, or authorized to inspect homes. They inspect commercial facilities as defined by the NCGS 130A-248. Air BnB's are not incorporated into these rules, however, bed and breakfast establishments do fall under state regulation.

The county ordinance would need revision to provide inspectors more flexibility than what the state currently permits. There is an exemption to the county's ordinance for action if there is an imminent hazard, such as an unfenced swimming pool, or open, raw, flowing sewage at an apartment complex. Ms. Harris stated that no national agency has established guidelines that regulate or identify when mold becomes a health issue. Additionally, the county does not have inspectors who are specifically trained regarding mold.

The county has two different entities that deal with buildings – Land use and Environmental Services Agency (LUESA) addresses building structures and the Health Department addresses public health safety. She noted that around the country, cities and counties that work together seem to exhibit the best model.

Ms. Taillon closed the presentation with details on the ordinance revisions concerning civil penalties and the recommendations for minimum standards of fitness for places of habitation.

Chairman Harlow asked that the vote be delayed until more committee members were comfortable with an affirmative vote and for more community conversations. The item will be discussed again at the July committee meeting.

The committee feedback included:

- Staff should consider other types of media besides the city's website to educate the community.

- Explore collaboration opportunities between the county and the city to establish local standards to address mold hazards.
- Meet with the GCAA to hear out their concerns and attempt to mitigate any negative potential impact on affordable housing.

Additional information was requested for the following items:

- Provide specificity on the standard of what's an operable temperature for air conditioning units.
- Reevaluate if adding more specific language regarding cabinetry would ensure clear guidelines to enforce the ordinance in a uniformed manner.

Meeting adjourned at 1:28 p.m.